

THE CITY OF REVERE, MASSACHUSETTS



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OFFICE OF THE CITY SOLICITOR

Paul Capizzi
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Thomas G. Ambrosino
Mayor

July 11, 2005

VIA FACSIMILE ONLY - 617-227-9231

James S. Dilday, Esq.
Grayer & Dilday, LLP
27 School Street, Suite 400
Boston, MA 02108

Re: Pechner-James ,et al., v. City of Revere, et al.
USDC MA Case No. 03-12499-MLW

Dear Mr. Dilday:

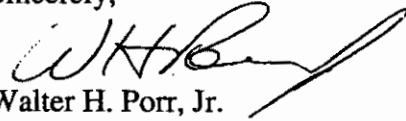
Today I received your opposition to Mayor Ambrosino's motion for summary judgment. That motion was personally served on you on March 31, 2005 and filed with the Court on April 12, 2005. Pursuant to Local Rule 7.1(B)(2), you had fourteen (14) days from service of the motion to file your opposition. In light of the fact that I pre-served the motion upon you as part of my Local Rule 7.1(A)(2) effort, it would be reasonable to consider the actual service date to be April 12, 2005, the date of filing. I note that you are listed as receiving electronic notification of all filings and thus you would have received notice of the filing of the motion on or about that day. Thus, you had until the end of April to file any opposition to the motion.

The opposition you are now filing is over two (2) months late and without leave of court. I am hereby demanding that you immediately withdraw the opposition. In the absence of such action, I will file a motion to strike the same as untimely.

This letter shall serve as my effort to meet and confer to narrow or resolve the issues as required by Local Rule 7.1(a)(2).

Thank you for your attention to this matter. I await your reply. Should you have any questions, please do not hesitate to contact me.

Sincerely,


Walter H. Porr, Jr.
Assistant City Solicitor

Cc: Michael J. Akerson, Esq., Fax No. 508-754-7220

HP Fax Series 900
Plain Paper Fax/Copier

Fax History Report for
City Solicitor
(781)286-8205
Jul 11 2005 11:06am

Last Fax

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Jul 11	11:06am	Sent	96172279231	0:29	1	OK

Result:

OK - black and white fax

James Dilday

HP Fax Series 900
Plain Paper Fax/Copier

Fax History Report for
City Solicitor
(781)286-8205
Jul 11 2005 11:10am

Last Fax

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Jul 11	11:09am	Sent	915087547220	0:42	2	OK

Result:

OK - black and white fax

Michael Akerstrom